

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14567 of Carla J. Mumby, ("Applicant") pursuant to Sub-section 8207.2 (3108.1, DCMR 11) of the Zoning Regulations, for a special exception under Paragraph 3103.34 (300.3(d), DCMR 11) to establish a community residence facility with five or more residents where there is another such community residence facility within 500 feet in an R-4 District at premises 1100 Euclid Street, N.W., (Square 2865, Lot 115).

HEARING DATE: March 11, 1987  
DECISION DATE: April 1, 1987

FINDINGS OF FACT:

1. The site, known as premises 1100 Euclid Street, N.W., is located on the southwest corner of the intersection of Euclid and 11th Streets, N.W. The site is located in an R-4 District.

2. The subject lot is rectangular in shape and measures 25.6 feet by 121 feet for a total land area of 30,976 square feet. The lot is improved with a two-story plus basement brick structure. A two car garage is located to the rear of the structure with access directly to 11th Street. The semi-detached structure shares a common party wall with the adjacent structure to the west.

3. The R-4 District extends in all directions from the site.

4. The structure is currently used as a matter-of-right community residence facility (CRF) for four residents.

5. Pursuant to Sub-section 8207.2 (3108.1, DCMR 11) of the Zoning Regulations, the applicant is seeking a special exception under Paragraph 3102.34 (300.3(d), DCMR 11) to establish a community residence facility with five or more residents where there is another such community residence facility within 500 feet.

6. The current and proposed residents of the CRF are mentally and emotionally disturbed individuals in need of a transitional facility providing supervised care. Residents are referred to the facility by the Crisis Resolution Branch of the Mental Health Services Administration of the

Department of Human Services. Residents remain at the facility an average of 30 to 45 days. During that time, in-house counselors and off-site therapists work with residents to stabilize their behavior and prepare them for a normal, non-supervised existence. Residents are nonviolent individuals with no indications of suicidal tendencies or drug abuse.

7. The CRF staff consists of one resident manager, one program director and six counselors. Counselors work eight hour shifts in pairs 24 hours a day.

8. The subject CRF is operated by the Applicant pursuant to a contract with the Mental Health Services Administration of the Department of Human Services. The Mental Health Services Administration specifically requested that the Applicant increase the number of residents at the Euclid Street facility given the shortage of facilities for residents experiencing psychiatric crises.

9. A second CRF, known as premises 1117 Euclid Street, N.W., is located within 500 feet of the subject facility. This facility houses a youth residential care home for fourteen residents.

10. None of the residents at either facility operate automobiles.

11. Several staff members at the subject facility drive to and from the site. The site provides two on-site legal size parking spaces. The number of spaces could be increased by the use of stacked parking. A van used to transport residents to therapy sessions or recreational outings is parked on-site.

12. By memorandum dated March 4, 1987, the Office of Planning (OP) recommended approval of the application. The OP reported that, given the nature of the residents of the subject CRF, the provision of adequate on-site parking, and the subject structure's corner location, the addition of three residents at the subject facility will not adversely impact the neighborhood. Further, the presence of two CRF's within 500 feet of one another will not create any objectionable impacts because of noise, traffic or operations. The Board concurs.

13. By memorandum dated March 4, 1987, the Department of Public Works (DPW) reported that it is of the opinion that the proposed expansion of the facility will not have a significant impact on the surrounding street system. The Board concurs.

14. By letter dated March 3, 1987 Advisory Neighborhood Commission (ANC) 1B reported that it recommended that the application be granted.

15. All persons who sought to testify either in favor of or in opposition to the application were given an opportunity to do so.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the Applicant is seeking a special exception, the granting of which requires substantial evidence that the Applicant has complied with the requirements of Paragraph 3102.34 (300.3(d), DCMR 11) and Sub-section 8207.2 (3108.1, DCMR 11) of the Zoning Regulations. The Board concludes that the Applicant has met the burden of proof. The cumulative effect of the subject CRF and second CRF located within 500 feet of the subject facility will not have an adverse impact on the neighborhood because of traffic, noise or operations.

The Board further concludes that the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and it will not affect adversely the use of neighboring property.

The Board concludes that it has accorded to Advisory Neighborhood Commission 1B the "great weight" to which it is entitled. Accordingly, it is ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. Operation of the facility shall be limited to the Applicant.
2. The number of residents of the facility shall not exceed eight.
3. The Applicant shall provide a minimum of three on-site parking spaces. One on-site parking spaces. One on-site parking space shall be reserved exclusively for the van operated by the facility.
4. The facility shall be in compliance with all other applicable municipal regulations.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Paula L. Jewell and Carrie L. Thornhill to grant; Patricia N. Mathews not present, not voting.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

JUN 2 1987

UNDER SUB-SECTION 8204.3 (3103.1, DCMR 11) OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14567order/KATE26